

The House Committee on Governmental Affairs offers the following substitute to HB 1245:

A BILL TO BE ENTITLED

AN ACT

To amend Article 14 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to special elections and primaries generally, so as to change special election procedures for certain General Assembly vacancies; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 14 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to special elections and primaries generally, is amended by striking Code Section 21-2-544, relating to special elections for General Assembly vacancies, and inserting in its place a new Code section to read as follows:

"21-2-544.

(a)(1) Except as otherwise provided in paragraph (2) of this subsection, whenever

~~Whenever~~ a vacancy shall occur or exist in either house of the General Assembly during a session of the General Assembly or whenever such vacancy shall occur or exist at a time when the members of the General Assembly shall be required to meet, at any time previous to the next November election, the Governor shall issue, within ten days after the occurrence of such vacancy, or after the calling of an extraordinary session of the General Assembly during the existence of such vacancy, a writ of election to the Secretary of State for a special election to fill such vacancy, which election shall be held on the date named in the writ, which shall not be less than 30 nor more than 60 days after its issuance.

(2) Whenever a vacancy is due to a member's death, the writ of election shall not be issued until at least 14 days after the date of the death; provided, however, that if such death occurs during a regular session of the General Assembly, the writ of election shall not be issued until at least seven days after the date of the death.

(b) Upon receiving the writ of election from the Governor, the Secretary of State shall then transmit the writ of election to the superintendent of each county involved and shall publish the call of the election. In all other cases any such special election to fill any such vacancy shall be held if the Governor issues his or her writ of election therefor. In such cases the writ of election shall be issued to the Secretary of State who shall transmit the writ of election to the superintendent of each county involved and shall publish the call of the election."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.